

**NEVADA DEPARTMENT OF  
CONSERVATION & NATURAL RESOURCES**

**STATE ENVIRONMENTAL COMMISSION**

**HEARING ARCHIVES FOR**

**REGULATORY PETITIONS**

**COMMISSION PETITION NO. 9300A**

**LEGISLATIVE COUNSEL BUREAU (LCB) FILE NO. R-042-93**

**DOCUMENTS INCLUDED IN THIS FILE:**

**YES SECRETARY OF STATE FILING FORM**

**YES DISCLOSURE STATEMENT PURSUANT TO NRS 233B**

**REGULATORY PETITIONS**

**ORIGINAL DRAFTED BY COMMISSION**

**ADOPTED BY COMMISSION**

**YES AS FILED AND CODIFIED BY LCB**

Secretary of State  
Filing Data

For Filing Administrative  
Regulations

For Emergency  
Regulations Only

Effective Date \_\_\_\_\_

Expiration Date \_\_\_\_\_

\_\_\_\_\_  
Governor's Signature

**Environmental  
Commission**

Classification [ ] Proposed [ ] Adopted By Agency [XX] Temporary [ ] Emergency [ ]

**Brief description of action:** SEC Petition 9300A (LCB R-042-93) is a permanent amendment to NAC 445.1752. The amendment is to establish fees for general waste water discharge permits.

**Authority citation other than 233B:** NRS 445.203

**Notice date:**

Temporary - August 28, September 10 and September 22, 1992

Permanent - August 24, September 8 and September 16, 1993

**Hearing date:**

Temporary - September 30, 1992

Permanent - September 22, 1993

**Date of Adoption of Agency:**

Temporary - September 30, 1992

Permanent - September 22, 1993

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED  
BY ADMINISTRATIVE PROCEDURES ACT, NRS 233B.066  
PETITION 9300A  
LCB R-042-93**

The following statement is submitted for adopted permanent amendments to Nevada Administrative Code Section 445.1752.

1. A description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.

Petition 9300A was noticed six (6) times; 8-28-92, 9-10-92 9-22-92, 8-24-93, 9-8-93 and 9-16-93 in the Las Vegas Review Journal and the Reno Gazette Journal Newspapers and three (3) times, 8-28-92, 9-10-92, and 9-22-92 in the Kingman Daily Mirror.

2. A description of how comment was solicited from affected businesses, a summary of their response, and a explanation how other interested persons may obtain a copy of the summary.

See number 1 above.

3. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

The temporary regulations were adopted on September 30, 1992.

The regulatory changes were adopted without modification through the hearing process. All relevant public comments were noted resulting in no changes to the proposed regulations. The permanent regulations were adopted at the SEC hearing on September 22, 1993.

4. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately, and each case must include:

- (a) Both adverse and beneficial effects: and
- (b) Both immediate and long-term effects.

- a. There are no adverse or beneficial economic effects on the public or regulated community.
- b. There are no immediate or long-term economic effects on the public or regulated community.

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5. The estimated cost to the agency for enforcement of the proposed regulation.

The regulation in of itself will not result in any additional cost to the agency or the administration of programs necessary to general wastewater discharge permit fees.

6. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary.

There are no state or government agency regulations which overlap with this regulation.

**CODIFIED PERMANENT REGULATION OF THE  
NEVADA STATE ENVIRONMENTAL COMMISSION  
LCB File No. R-042-93**

EXPLANATION--Matter in italics is new; matter in brackets [ ] is material to be omitted.

AUTHORITY: NRS 445.203

**Section 1.** NAC 445.1752 is hereby amended to read as follows:

445.1752 1. A general permit may be issued upon proper application by a group of dischargers whose facilities meet the requirements of NAC 445.175. The application must include:

- (a) The name and address of the discharger;
- (b) The exact location of the discharge;
- (c) The nature of the discharge;
- (d) The name and location of the receiving waters;
- (e) The quantity and quality of the discharge; and
- (f) Any other information deemed necessary by the director for the determination of whether the discharger should be included in the general permit.

2. A general permit may be issued without application if the director deems it appropriate.

3. If a general permit has been issued, a discharger who is eligible to be covered under the permit may submit a request to the director to be included in the general permit. Such a request must **[contain] *include*** the information required by subsection 1, ***be accompanied by a nonrefundable fee of \$200*** and be signed in the manner prescribed by

This SEC temporary petition 9300A was previously adopted on 9-30-92 and became effective on 10-19-92 on filing with the Secretary of State. This petition was adopted by the Environmental Commission as a permanent regulation on 9-22-93 and became effective on filing with the Secretary of State on 10-29-93. The language in this permanent regulation was prepared by the Legislative Counsel Bureau as R-042-93. **Codified June 1, 1994.**

NAC 445.143 for application and reporting forms. If such a request is denied because the director has determined that the discharger must be covered under an individual permit, the director must inform the holder pursuant to the provision of NAC 445.1753.

4. A discharger will not be covered under a general permit until he has been notified by the director.

***5. A discharger who is covered under a general permit shall pay to the director a nonrefundable fee of \$200 not later than July 1 of each year that the discharger is covered under that permit.***

END OF PETITION 9300A (LCB R-042-93)

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